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Letter dated 19 February 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I have the honour to convey to you a copy of a letter I have sent, in my capacity as Chair of the Arab Group for the month of February 2010, on behalf of the States members of the Arab Group, to the President of the General Assembly (see annex) regarding General Assembly resolution 64/10 of 5 November 2009 on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict and your report in this regard (A/64/651) pursuant to paragraph 6 of resolution 64/10.

I should be grateful if you would arrange to have the text of the present letter and the annexed letter distributed as a document of the General Assembly under agenda item 64.

(*Signed*) Riyad **Mansour**
Chair of the Arab Group
Permanent Observer of Palestine to the United Nations

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Annex to the letter dated 19 February 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

19 February 2010

In my capacity as Chair of the Arab Group for the month of February 2010, I have the honour to convey to you the Arab Group's position regarding the "paper" conveyed by Israel on 29 January 2010 to the Office of the United Nations Secretary-General, which was included in annex I to the report submitted by the Secretary-General (A/64/651) pursuant to General Assembly resolution 64/10 of 5 November 2009 on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict (Goldstone report).

In this connection, I wish to inform you that the Follow-Up Committee on the Goldstone Report, which includes the current Troika of the Arab Group, Palestine, Oman and Qatar; Egypt in its capacity as Chair of the Non-Aligned Movement; Syria in its capacity as Chair of the Organization of the Islamic Conference; Morocco in its capacity as Chair of the Al-Quds Committee; Senegal in its capacity as Chair of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People; and the Permanent Observer of the League of Arab States to the United Nations, conveyed to the Secretary-General our position that Israel's "paper" does not constitute compliance with paragraph 3 of resolution 64/10. We shared with the Secretary-General our understanding of the observation made in paragraph 11 of his report to the General Assembly, namely, that "no determination can be made on the implementation of the resolution by the parties concerned" to mean that the Israeli "paper" was not in compliance with the call made by the Assembly upon the Government of Israel "to undertake investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, towards ensuring accountability and justice".

In this regard, it should be noted that no reference whatsoever was made in the entirety of the Israeli "paper" to General Assembly resolution 64/10 or to the note of 3 December 2009 conveyed by the Secretary-General to Israel requesting information on any steps taken further to the call of the Assembly in paragraph 3 of the resolution. Moreover, this "paper" was conveyed to the Office of the Secretary-General amid an Israeli public campaign and repeated statements stressing that the "paper" was not being submitted in accordance with the General Assembly's call in resolution 64/10 or with the recommendation made in the Goldstone report. Such rejectionist statements clearly reflect once again Israel's intransigent refusal to cooperate in any manner on this very serious matter, beginning with its refusal to cooperate with the United Nations Fact-Finding Mission on the Gaza Conflict from the outset, its repeated rejection of the findings and recommendations of the Mission, and its characterization of those findings as, among other things, "distorted", "false" and "irresponsible".

With regard to the Palestinian side, it should be noted that the Palestinian submission to the Secretary-General on 29 January 2010 (see A/64/651, annex II) was made explicitly in accordance with paragraph 4 of General Assembly resolution 64/10 and in response to the note of 3 December 2009 from the Secretary-General requesting information on any steps taken by the Palestinian side further to the

exhortation of the General Assembly in paragraph 4 of the resolution. This is clearly evident in the letters of Prime Minister Salam Fayyad and the Permanent Observer of Palestine to the United Nations, the Presidential Decree and the report of the Independent Investigative Commission of 28 January 2010, which appear in annex II to the Secretary-General's report. Further in this regard, it should be noted that, as stated in the opening paragraph of the report of the Independent Investigative Commission, the Commission was established "in accordance with the recommendation of the Fact-Finding Mission and pursuant to General Assembly resolution 64/10, paragraph 4".

Further, the Arab Group wishes to request the convening of the General Assembly at the earliest possible date following the submission of the Secretary-General's report (A/64/651) in order to take action on a draft resolution to follow up resolution 64/10 and the efforts being exerted towards ensuring accountability and justice.

(*Signed*) Riyad **Mansour**
Chair of the Arab Group
Permanent Observer of Palestine to the United Nations